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US DISTRICT COURT E.D.N.Y.

★ FEB 07 2020 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

CHALAMO KAIKOV,

Plaintiff,

-against-

ARIHAY KAIKOV, DUSTIN BOWMAN,
ANDERSON, BOWMAN & ZALEWSKI
PLLC, SHIRYAK BOWMAN, ANDERSON,
GILL & KADOCHNIKOV LLP, PACIFIC
2340 CORP., ROYAL A&K REALTY
GROUP INC., A&E.R.E. MANAGEMENT
CORP., NY PRIME HOLDING LLC, AG
REALTY BRONX CORP., JOHN and
JANE DOE 1-19 and XYZ CORPORATION
1-10,

Defendants.

ORDER

19-CV-2521

JACK B. WEINSTEIN, Senior United States District Judge:

On February 4, 2020, an extensive hearing on Defendants' motions to dismiss and Plaintiff's motion for a temporary restraining order ("TRO") and preliminary injunction was held. For the reasons stated on the record in open court, it is hereby ORDERED:

1. Law firm defendants Anderson Bowman & Zalewski, PLLC, Dustin Bowman, and Shiryak, Bowman, Anderson, Gill & Kadochnikov LLP's motion to dismiss is granted. Hr'g Tr. 48:20 – 21. By February 12, 2020, the law firm defendants shall file a proposed final judgment with the court. Hr'g Tr. 49:11 – 17.
2. Plaintiff's motions for a temporary restraining order and preliminary injunction are denied. Hr'g Tr. 36:12 – 37:2. All parties are prohibited from the use of threats or harassment by the Russian police, mafia, or any other

intimidation tactics throughout the pendency of the case. Hr'g Tr. 40:3 – 41:22.

3. The case is referred to Magistrate Judge Ramon E. Reyes to produce a report and recommendation on damages, issues of diversity jurisdiction, and the disposition of the individual and corporate defendants' motion to dismiss. Hr'g Tr. 28:1 – 9, 29:21 – 30:2, 44:8 – 45:3, 45:22 – 46:2; ECF No. 30. Any discovery shall continue under the direction and control of the magistrate judge. The magistrate judge is respectfully requested to consider mediation or arbitration in the first instance. Hr'g Tr. 48:7 – 48:11.

The court reiterates its recommendation for settlement and commends the magistrate judge for his efforts.

SO ORDERED.

s/ Jack B. Weinstein
Jack B. Weinstein
Senior United States District Judge

Dated: February 7, 2020
Brooklyn, New York